

Appl. No.: 10/596,719

Amdt. Dated: August 8, 2008

Reply to Office Action Mailed: April 8, 2008

## REMARKS

Claims 1-8 were previously pending of which claims 1, 2, 6, 7 and 8 are amended. New claims nine and 10 are added. Support for the claim amendments is found in least at pages 3 and 4 of the Specification as filed. Thus no new matter is added.

### 1. Claim Rejections – 35 U.S.C. §102(e)

Independent claims 1 and 6 were rejected under 35 U.S.C §102(e) as allegedly being anticipated by USPN 6,522,248, to Andres, et al. (“Andres”). This rejection is moot in view of the amendments made to claims 1 and 6.

At column 4, lines 1-8 and at column 6, lines 43 to 47, Andres teaches that its “amplifier 52” and the “output speaker 36,” which it drives, are co-located with, and part of, a single detector.

In contrast, independent claims 1 and 6 are amended to recite, in pertinent part, a feature that is not shown or described in Andres, namely:

wherein the alarm device is configured to be installed and to operate independently of the fire detector or the fire detection system.

For at least this reason, independent amended claims 1 and 6 are allowable over Andres.

### 2. Claim Rejections – 35 U.S.C. §103(a)

#### a. Claims 2 and 7

Dependent claim 2 and independent claim 7 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Andres in view of U.S. patent application publication number: 2004/0145467 to Roby, et al. (“Roby”). With respect to dependent claim 2, this rejection is moot in view of the amendments made to independent claim 1, from which claim 2 depends. This rejection is further moot in view of the amendments made to independent claim 7, since Roby does not cure the deficiencies of Andres that were mentioned above.

For example, the abstract of Roby indicates that “... the detection apparatus is incorporated into a conventional smoke detector... (emphasis added)”

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In contrast, amended independent claim 7 recites in pertinent part:

wherein each of the first alarm device and the second alarm device is configured to be installed and to operate independently of the fire detector.

At the time Applicant's invention was conceived, skilled artisan reviewing the teachings of Andres in view of Roby would have been led away from the subject matter now recited in independent claim 7. Moreover, even if Andres and Roby were combined, their modification would not have produced either a first alarm device or a second alarm device, each "configured to be installed and operate independently of the fire detector."

Other differences between Andres and Roby Applicant's claimed invention exist, but for at least the reason mentioned above, amended independent claim 7 is allowable over the combination of Andres and Roby.

b. Claims 3 and 4.

Dependent claim 3 and 4 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Andres in view of U.S. patent number 5, 982, 275 to Kosich ("Kosich"). This rejection is moot in view of the amendments made to independent claim 1, from which claims 3 and 4 depend because Kosich, like Roby, fails to cure the deficiencies of Andres. Therefore, allowance of claims 3 and 4 is respectfully requested.

c. Claim 5.

Dependent claim 5 was rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Andres in view of U.S. patent number 5,663,714 to Fray ("Fray"). This rejection is moot in view of the amendments made to independent claim 1, from which claim 5 depends because Fray, like Roby and Kosich, fails to cure the deficiencies of Andres. Therefore, allowance of claim 5 is respectfully requested.

d. Claim 8

Independent claim 8 was rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Andres in view of U.S. patent application publication number: 2004/0145467

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to Roby, et al. ("Roby") and further in view of U.S. patent number 5, 982, 275 to Kosich ("Kosich"). This rejection is moot in view of the amendments made to independent claim 1, from which claim 8 depends, because Kosich, like Roby, fails to cure the deficiencies of Andres.

### 3. New Claims 9 and 10

New claims 9 and 10 recite features not disclosed in or suggested by Andres, Roby, Fray, or Kosich, alone or in combination. Therefore, allowance of claims 9 and 10 is respectfully requested.

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### CONCLUSIONS

For at least the reasons referenced above, Applicants respectfully request that a Notice of Allowance be issued for claims 1-10.

The examiner is respectfully invited to contact the undersigned if there are any remaining issues that can be resolved by telephonic communication.

Favorable action is respectfully requested.

Respectfully submitted,

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